

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MAY 17, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:04 p.m. Deputy Mayor Behr adjourned the meeting at 4:33 p.m. to meet in Closed Session on Tuesday, May 18, 1993, at 9:00 a.m. in the 12th floor conference room to discuss litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present

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- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Richard Stroud, Jammin' for Jesus.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding debt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-068.)

COUNCIL COMMENT:

None.

ITEM-30:

Two actions related to the Confirmation of Appointment of Chief of Police:

(See City Manager Report CMR-93-139.)

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Subitem-A: (R-93-1865) ADOPTED AS RESOLUTION R-281924

Waiving Council Policy 300-8.

Subitem-B: (R-93-1866) ADOPTED AS RESOLUTION R-281925

Confirming the City Manager's appointment of Jerry Sanders to be the Chief of Police per City Charter Section 57.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A084-B572.)

MOTION BY STEVENS TO ADOPT, WAIVING COUNCIL POLICY 300-8 (SUBITEM-A). Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY ROBERTS TO ADOPT THE RECOMMENDATION OF THE CITY MANAGER (SUBITEM-B). Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-31: (R-93-1926) ADOPTED AS RESOLUTION R-281926

Proclaiming the month of May 1993 to be "Wetlands Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B573-685.)

MOTION BY HARTLEY TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

4/26/93

4/27/93

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5/03/93
5/04/93

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A069-079.)

MOTION BY McCARTY TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50: (O-93-115) ADOPTED AS ORDINANCE O-17910 (New Series)

Amending Chapter II, Article 2, Division 1, of the San Diego Municipal Code by amending Section 22.0101, entitled "Permanent Rules of the Council" by amending Rule 21, to reduce the number of members on the Council's Public Services and Safety Committee from six members to five.

(Introduced on 4/26/93. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-51: (O-93-135) ADOPTED AS ORDINANCE O-17911 (New Series)

Amending Chapter II, Article 4, Division 4, of the San Diego Municipal Code by amending Section 24.0403, relating to Safety Member Retirement Allowances for the City Employees' Retirement System.

(Introduced on 5/3/93. Council voted 8-0. District 6 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-52: (O-93-129) ADOPTED AS ORDINANCE O-17912 (New Series)

Rezoning Solar Turbines Incorporated property located at 4242 Ruffin Road, south of Balboa Avenue, to the ML-I Zone.

(Case-92-0651. Kearny Mesa Community Area. District-6. Introduced on 4/27/93. Council voted 9-0.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-53: (O-93-133) ADOPTED AS ORDINANCE O-17913 (New Series)

Amending Chapter X, Article 1, Division 8, of the San Diego Municipal Code, by amending Section 101.0821, relating to Tandem Parking, to allow tandem parking in the Golden Hill Community Plan Area, the Uptown Community Plan Area, and in the Mission Valley Community Plan area and to not allow tandem parking in Pacific Beach.

(Districts-2,3,6 and 8. Introduced on 4/27/93. Council voted 7-1. Mayor Golding voted nay. District 3 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-100: (R-93-1742) ADOPTED AS RESOLUTION R-281927

Awarding a contract to Commercial and Industrial Roofing Co., Inc., to re-roof the Organ Pavilion; authorizing the expenditure of \$39,200 from Balboa Park Improvement Fund No. 102242; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budget funds, if any, from appropriate reserves, into existing Job Order No. 069066.
(BID-K3398/93M)
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for restoration of the roof on the Organ Pavilion in Balboa Park. The present roof is deteriorated and requires replacement. One bid was received from Commercial and Industrial Roofing Co., Inc., for \$34,641.

Aud. Cert. 9300734.

FILE LOCATION: CONT-PURCHASE-Commercial and Industrial Roofing Co., Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-101: (R-93-1256) ADOPTED AS RESOLUTION R-281928

Awarding a contract to Barnes Communications for furnishing Mobile Public Address Systems with Electronic Sirens, as may be required for a period of one year beginning June 1, 1993 through May 31, 1994, for an estimated cost of \$30,638, including tax and

terms, with options to renew the contract for three additional one year periods; if the vendor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, until a bidder is found who performs to specifications. (BID-I3709/93)

FILE LOCATION: CONT-PURCHASE-Barnes Communications
CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-102: (R-93-1255) ADOPTED AS RESOLUTION R-281929

Awarding contracts to Bud's & Son Trucking, Inc., and A-1 Soils Company for the purchase of decomposed granite, processed misc. base, 3/4" and 1" crushed rock, fill sand, and top soil, delivered to the Murray Reservoir and the San Ysidro Area, as may be required for a period of one year beginning April 1, 1993 through March 31, 1994, for an estimated cost of \$35,000 to \$50,000 per year; if the Contractors do not perform to specifications, the Purchasing Agent is authorized to terminate the contracts and award to the next low responsive and responsible bidder and to subsequent bidders, until a bidder is found who performs to specifications. (BID-E3694/93)

FILE LOCATION: CONT-PURCHASE-Bud's & Son Trucking,
Inc., and A-1 Soils Company CONT
FY93-2

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-nay, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-103: (R-93-1244) ADOPTED AS RESOLUTION R-281930

Awarding a contract to Miramar Ford Truck Sales, Inc. for the purchase of two roll off container trucks (Ford LTS-800) and six roll off containers for a total cost of \$159,868.68, including tax and terms; authorizing the expenditure of not to exceed \$159,868.68 from Fund No. 5003, Department No. 8203, Object Account No. 6013, Job Order No. 88082; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3597/93)

Aud. Cert. 9301022.

FILE LOCATION: CONT-PURCHASE-Miramar Ford Truck Sales,
Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-nay, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104: (R-93-1257) ADOPTED AS RESOLUTION R-281931

Awarding a contract to West Publishing Co. (Westlaw) for the purchase of computerized legal research service for an estimated total of \$60,000, as may be required for a period of one year beginning July 1, 1993 through June 30, 1994, with options to renew the contract for four additional one year periods.
(BID-B3747/93)

FILE LOCATION: CONT-PURCHASE-West Publishing Co.
(Westlaw) CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-105: (R-93-1253) ADOPTED AS RESOLUTION R-281932

Awarding a contract to Mission Janitorial Supplies for furnishing waterborne epoxy gym floor finish and compatible line paint, for an estimated cost of \$46,472, as may be required for a period of one year beginning June 1, 1993 through May 31, 1994, with options to renew the contract for four additional one year periods.
(BID-P3688/93)

FILE LOCATION: CONT-PURCHASE-Mission Janitorial
Supplies CONFY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106: (R-93-1254) ADOPTED AS RESOLUTION R-281933

Awarding contracts for will-call service for the purchase of plumbing supplies to: Standard Plumbing and Industrial Supply, Westburne Supply Co., Familian Pipe and Supply, Valley Industrial Specialties, Inc. and Reliable Pipe Supply, as may be required for a period of one year beginning May 1, 1993 through April 30, 1994, for an estimated cost of \$80,813, including tax.
(BID-H3698/93)

FILE LOCATION: CONT-PURCHASE-Standard Plumbing and
Industrial Supply, Westburne Supply Co.,
Familian Pipe and Supply, Valley
Industrial Specialties, Inc. and
Reliable Pipe Supply CONT FY93-5

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-107: (R-93-1250) CONTINUED TO JUNE 1, 1993

Awarding a contract to San Diego Turf for a 48 month lease of groundskeeping equipment for a cost of \$137,880.24 for the first year, with an option to purchase the equipment at the end of the lease period; authorizing the expenditure of not to exceed \$137,880.24 from Fund No. 41400, Department No. 730, Object Account No. 4222, and Job Order Nos. 007321 and 007331; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P3532/93)

Aud. Cert. 9300977.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B686-C083.)

MOTION BY ROBERTS TO CONTINUE TO JUNE 1, 1993, AS REQUESTED BY THE CITY MANAGER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-108: (R-93-1744) ADOPTED AS RESOLUTION R-281934

Inviting bids for the North City Water Reclamation Plant Influent Pump Station Substructure on Work Order No. 194580; authorizing a contract with the lowest responsible bidder, contingent upon receipt of State or Federal funds at 100 percent financing; authorizing the expenditure of funds not to exceed \$11,600,000 from Clean Water Program Sewer Fund 41509, CIP-42-910.1, North City Water Reclamation Plant, contingent upon receipt of State or Federal funds at 100 percent financing; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K3827/93)
(University Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Influent Pump Station (Substructure) and the Operations Building are the second and third contracts of the 15 construction contracts for the North City Water Reclamation Plant project. These two construction contracts are eligible to potentially receive State

or Federal grant funds if the contracts are awarded before the end of the Federal Fiscal Year, September 30, 1993. The contract packaging for the Influent Pump Station Substructure and the Operations Building has been completed. Mitigation measures related to this action have been incorporated into these two packages. At this time approval is requested to advertise for bid and award the contract for these two packages contingent upon the receipt of grant funds. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. The MBE/WBE participation goals for this agreement are 20 percent MBE and 7 percent WBE. In order to enhance MBE/WBE participation on this project, the City's Equal Opportunity Contracting Program will notify MBE/WBE firms certified with the City when the work is advertised. The construction cost for the Influent Pump Station Substructure is currently estimated at \$5.8 million. The construction cost for the Operations Building is currently estimated at \$5.8 million. The total number of local jobs created by these contracts are 220.

Aud. Cert. 9301026.

FILE LOCATION: W.O. 194580 CONFY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109:

Two actions related to the Construction of Sewer
Replacement Group 600:

(Old San Diego Community Area. District-2.)

Subitem-A: (R-93-1419) ADOPTED AS RESOLUTION R-281935

Inviting bids for the Construction of Sewer Replacement
Group 600 on Work Order No. 171271; authorizing a
contract with the lowest responsible bidder;
authorizing the expenditure of \$866,863 from Revenue
Fund 41506, Sewer Construction Overlay (70492),
CIP-44-001, for providing funds for the project and
related costs; authorizing the City Auditor and
Comptroller, upon advice from the administering

department, to transfer excess budgeted funds, if any,
to the appropriate reserves.
(BID-K3804/93)

Subitem-B: (R-93-1420) ADOPTED AS RESOLUTION R-281936

Certifying that the information contained in Mitigated
Negative Declaration and Mitigation Monitoring and
Reporting Program, DEP-92-0292, has been completed in
compliance with the California Environmental Quality
Act of 1970, and State guidelines, and that said
Declaration has been reviewed and considered by the
Council.

CITY MANAGER SUPPORTING INFORMATION: Sewer Replacement Group
600 includes the installation of 5,412 feet of 8-inch pipe,
abandoning 1,175 feet of 6-inch pipe and lining 1,683 feet of
6-inch pipe. The sewer mains located within the area have
experienced extensive stoppage problems, along with root
infestation, grease was the predominant cause for the stoppages.
These mains have experienced 21 stoppages since 1972. This
project will alleviate these stoppages and provide more reliable
and cost effective sewage collection service for the area.

Aud. Cert. 9300951.
WU-P-93-105.

FILE LOCATION: W.O. 171271 CONT - Dietrich Corporation
CONFY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-110: (R-93-1743) ADOPTED AS RESOLUTION R-281937

Inviting bids for Sidewalk and Curb Replacement of
Various City Streets - FY 93 - (C-9); authorizing the
execution of a contract with the lowest responsible
bidder; authorizing the expenditure of \$300,000 from
Gas Tax Fund 302191. (BID-K3800/93)

CITY MANAGER SUPPORTING INFORMATION: An accelerated Sidewalk
Replacement Program was started in FY 90. The program was funded
by the increase in Gasoline Tax passed by the voters in

Proposition III. Since the start of the program \$1,800,000 will have been used for contractual labor with the completion of approximately 1,850 jobs.

This action, which is the first of the three FY 93 contracts proposes the expenditure of \$300,000 and the completion of approximately 300 additional job locations.

Aud. Cert. 9301031.

FILE LOCATION: CONT-The Bradick Companies Inc.
CONTFY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-111: (R-93-1418) ADOPTED AS RESOLUTION R-281938

Inviting bids for the Construction of Escala Drive Sidewalk on Work Order No. 112106; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of not to exceed \$160,000 from CIP-52-472.0, Escala Drive Sidewalk, Development Impact Fees, Fund No. 39056; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the project until construction is completed. (BID-K3802/93)
(Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: A portion of Escala Drive between Fernando Court and Chretien Court in Rancho Bernardo remains unimproved, without a sidewalk. There is an ongoing need to provide pedestrian access to residential areas on either side of the valley and promote public safety in this area. This project will fulfill this need by providing new sidewalk and appurtenances on the east side of Escala Drive at this location.

Aud. Cert. 9300989.

FILE LOCATION: W.O. 112106 CONT - Castello, Inc.
CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-112: (R-93-1417) ADOPTED AS RESOLUTION R-281939

Inviting bids for the Construction of Rolling Hills
Park Lighting and Landscaping on Work Order No. 119942;
authorizing the execution of a contract with the lowest
responsible bidder; authorizing the expenditure of
\$109,000 from CIP-29-766.0, Rolling Hills Neighborhood
Park - Requirements, Special Park Fee Fund No. 39085;
authorizing the City Auditor and Comptroller, upon
advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate
reserves. (BID-K3801/93)
(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Rolling Hills Park is a
5.74 acre park located on Alamazon Street, east of Penasquitos
Drive next to Rolling Hills Elementary School. The park was
constructed in 1978 and improved again in 1984. This project
will construct pole mounted security lighting, fencing, concrete
walks, irrigation system modifications and landscaping.

Aud. Cert. 9300898.

FILE LOCATION: W.O. 119942 CONT - Plaza Landscape Inc.
CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-113: (R-93-1741) CONTINUED TO MAY 24, 1993

Inviting bids for the construction of a Traffic Signal
and Street Lighting System at Morena Boulevard and
west-bound ramp at Balboa Avenue on Work Order No.
119816; authorizing a contract with the lowest
responsible bidder; authorizing the expenditure of

\$180,550 from CIP-68-010.0, Annual Allocation -
Construction Top 10-15 Prioritized Traffic Signals,
Fund 30300; authorizing the Auditor and Comptroller,
upon advice from the administering department, to
retain excess monies, if any, in CIP-68-010.0.
(BID-K3805/93)
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital
Improvement Program Project to install a traffic signal system
provides for the safe passage of emergency equipment,
pedestrians, and vehicles through the intersection. Traffic
signal features include emergency vehicle preemption equipment.

Aud. Cert. 9300994.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B686-C083.)

MOTION BY ROBERTS TO CONTINUE THE ITEM ONE WEEK, TO MAY 24,
1993, AS REQUESTED BY COUNCIL MEMBER McCARTY ON BEHALF OF
COUNCIL MEMBER STALLINGS, TO GIVE THE CLAIREMONT MESA
PLANNING GROUP A CHANCE TO LOOK AT THE ISSUE. Second by
Hartley. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-not present, McCarty-yea, Vargas-yea, Mayor
Golding-not present.

* ITEM-114:

Two actions related to the Scripps-Miramar Ranch
Landscape Maintenance District:

(Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-93-1719) ADOPTED AS RESOLUTION R-281940

Resolution of Intention to annex territory to the
district and to levy and collect assessments.

Subitem-B: (R-93-1720) ADOPTED AS RESOLUTION R-281941

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing annexes
territory to the existing district and establishes the annual
assessments for the Scripps-Miramar Ranch Landscape Maintenance

District. The district provides maintenance for landscaped medians and open space within the district. The landscaping improvements maintained by the district will benefit certain areas that are outside the current boundaries of the district. These adjoining benefitting areas are proposed to be added to the district through annexation. The Fiscal Year 1994 proposed maintenance costs for the districts are as follows:

Contractual Maintenance	\$213,000
Personnel	51,904
Utilities	46,000
Incidentals	50,459*
Total Expenses	\$361,363
Reserve	31,145
Total	\$392,508
Less Carry-over & Interest	71,900
Less City Contribution	11,412
Assessed to District	\$309,196

* Includes Assessment District Management Fee of \$22,055.

The proposed unit assessment for FY '94 is \$53 prior to the proposed annexation, and \$42.06 with the annexation. The assessment amount for FY '93 was \$41.20. The increase is due to special projects requested by the community such as additional shrubs, bushes and tree planting and reed removal at Hendrix Pond.

FILE LOCATION: STRT M-299

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-115:

Two actions related to the Miramar Ranch North
Landscape Maintenance District:

(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-93-1726) ADOPTED AS RESOLUTION R-281942

Resolution of Intention to annex territory to the
existing district and to levy and collect assessments.

Subitem-B: (R-93-1727) ADOPTED AS RESOLUTION R-281943

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Miramar Ranch North Landscape Maintenance District. The district was established in 1987. The landscaping improvements to be provided by the developer will benefit areas that are outside the boundaries of the district as initially established. The adjoining benefitting areas are proposed to be added to the district through annexation. The district provides maintenance of certain slopes, landscaped medians and streetscapes within the district boundaries. The developer maintains certain other areas until they are turned over to the district.

The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 50,000
Personnel	51,904
Utilities	11,000
Incidentals	57,291*
Total Expenses	\$170,195
Reserve	12,229
Total	\$182,424
Less Carry-over and Interest	3,263
Less City Contribution	-
Assessed to District	\$179,161

* Includes Assessment District Management Fee of \$10,387.

Fiscal Year 1994 is the first year assessments are being levied for this district. The assessment amount per dwelling unit is \$13.03.

FILE LOCATION: STRT M-297

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-116: (R-93-1737) ADOPTED AS RESOLUTION R-281944

Accepting the grant deed of Galen E. Conkle and Laureen A. Conkle, granting to the City a 40-acre parcel for watershed purposes in a portion of the Southeast

Quarter of Section 16, Township 12 South, Range 2 East,
San Bernardino Base & Meridian; thanking Galen E.
Conkle and Laureen A. Conkle for their generous gift
toward the preservation of this property for watershed
purposes in the Sutherland Dam area.

CITY MANAGER SUPPORTING INFORMATION: Galen and Laureen Conkle,
the property owners, have donated this 40-acre parcel to the City
for use as watershed in the Sutherland Dam area. The donated
parcel abuts the City-owned Sutherland Reservoir on the south and
west, with USA National Forest on the north and Santa Ysabel
Indian Reservation on the east. The property is a moderate to
steep hillside and is free and clear of encumbrances.

FILE LOCATION: DEED F-6041 DEED FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-117:

Two actions related to Street Dedication of Linda Vista
Road:
(Linda Vista Community Area. District-5.)

Subitem-A: (R-93-1705) ADOPTED AS RESOLUTION R-281945

Accepting the grant deed of AFJR, a California general
partnership, granting to the City an easement for
public street purposes in a portion of Lot 4 of
Artillery Square, Unit 2, Map-6266; dedicating and
naming the same Linda Vista Road.

Subitem-B: (R-93-1706) ADOPTED AS RESOLUTION R-281946

Stating for the record that the City Council has
reviewed and considered the information in
Environmental Impact Report EIR-90-0487, in connection
with the approval of the dedication of a portion of
Linda Vista Road.

FILE LOCATION: DEED F-6042 DEED FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-118:

Five actions related to Street Dedication of El Camino
Real and Arroyo Sorrento Road, Easements, and Easement
Set Asides:

(Carmel Valley and Sorrento Hills Community Areas.
District-1.)

Subitem-A: (R-93-1763) ADOPTED AS RESOLUTION R-281947

Accepting the easement deeds of American Assets, Inc.,
a California corporation, granting to the City
easements for public street purposes and for slope and
drainage purposes in portions of Parcel 2 of Parcel Map
PM-14873; dedicating and naming the same El Camino
Real.

Subitem-B: (R-93-1764) ADOPTED AS RESOLUTION R-281948

Accepting the easement deeds of Sorrento Valley East,
Ltd., a California limited partnership, granting to the
City easements for public street purposes and for slope
and drainage purposes in portions of Parcel 1 and
Parcel 3 of Parcel Map PM-14873;

Dedicating and naming the same El Camino Real and
Arroyo Sorrento Road.

Subitem-C: (R-93-1765) ADOPTED AS RESOLUTION R-281949

Accepting the grant deeds of Sorrento Valley East,
Ltd., a California limited partnership, granting to the
City a sight visibility easement in a portion of Parcel
3 of Parcel Map PM-14873, and an easement for drainage
and water purposes in portions of Parcel 1 and Parcel 3
of Parcel Map PM-14873.

Subitem-D: (R-93-1766) ADOPTED AS RESOLUTION R-281950

Setting aside easements for public street purposes, and
for drainage, slope and sewer purposes, in a portion of
the northwest quarter of the northwest quarter of
Section 30, and in the southwest quarter of Section 19,

Township 14 South, Range 3 West, San Bernardino Base and Meridian; setting aside the land for public street purposes and dedicating and naming the same El Camino Real.

Subitem-E: (R-93-1767) ADOPTED AS RESOLUTION R-281951

Stating for the record that the City Council has reviewed and considered the information in Environmental Impact Report EIR-88-0540 and Supplemental Environmental Impact Report EIR-90-0327, in connection with the approval of the acceptance of easements and dedication of portions of El Camino Real and Arroyo Sorrento Road; adopting the Mitigation Monitoring and Reporting Program.

FILE LOCATION: SUBITEM-A: DEED F-6043; SUBITEM-B: DEED F-6044; SUBITEM-C: DEED F-6045; SUBITEM-D: DEED F-6046; SUBITEM-E: DEED F-6047 DEED FY93-5

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-119:

Two actions related to abandonment of general utility easements in Parcels 1 and 2 of Parcel Map PM-14994:

(Mission Beach Community Area. District-2.)

Subitem-A: (R-93-1702) ADOPTED AS RESOLUTION R-281952

Authorizing the sale by negotiation of an unneeded general utility easement in Parcel 1 of Parcel Map PM-14994 to Thomas A. Moran and Richard W. Moran, for the processing fee; authorizing the execution of a quitclaim deed, quitclaiming the easement to Thomas A. Moran and Richard W. Moran.

Subitem-B: (R-93-1703) ADOPTED AS RESOLUTION R-281953

Authorizing the sale by negotiation of an unneeded general utility easement in Parcel 2 of Parcel Map PM-14994 to Clement J. O'Neill, for the processing fee;

authorizing the execution of a quitclaim deed,
quitclaiming the easement to Clement J. O'Neill.

FILE LOCATION: SUBITEM-A: DEED F-6048; SUBITEM-B: DEED
F-6049 DEED FY93-2

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-120: (R-93-1738) ADOPTED AS RESOLUTION R-281954

Dedicating two City-owned parcels of land located in
San Pasqual Road and Bear Valley Parkway within the
City of Escondido for public street and utility
purposes.

CITY MANAGER SUPPORTING INFORMATION: The City of Escondido and
the City of San Diego each own an undivided one half interest in
the Escondido Golf Course (now under construction) which is
located on San Pasqual Road. The development plan for the golf
course requires that two parcels of land, one at the southeast
corner of San Pasqual Road and Bear Valley Parkway, and the other
along Bear Valley Parkway be dedicated to facilitate
reconstruction of the street intersection and to provide
sufficient right-of-way for SDG&E utilities. The City of
Escondido has dedicated its one half interest in the properties
(Resolution No. 93-7 dated January 6, 1993) and requests that the
City of San Diego do the same. The two parcels contain
approximately 958 sq.ft. at San Pasqual Road and Bear Valley Road
and 81 sq.ft. at Bear Valley Parkway.

FILE LOCATION: DEED F-6050 DEED FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-nay, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-121: (R-93-1643) ADOPTED AS RESOLUTION R-281955

Adopting a Conflict of Interest Code for the Mid-City
Development Corporation.

(Mid-City Community Area. Districts-3,4 & 7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-122: (R-93-1768) ADOPTED AS RESOLUTION R-281956

Declaring Friday, April 30, 1993 to be "Help on the
Move Day" in San Diego and congratulating the
recipients of the 1993 "Help on the Move" awards and
thanking them for their many years of service to the
community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-123: (R-93-1812) ADOPTED AS RESOLUTION R-281957

Proclaiming May 22, 1993 as "Archie Moore Day" in San
Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-124: (R-93-1800) ADOPTED AS RESOLUTION R-281958

Declaring May 16, 1993 to be "Israel Festival '93 Day"
in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-125:

Five actions related to authorizing Suggestion Awards
to the following City employees:

Subitem-A: (R-93-1677) ADOPTED AS RESOLUTION R-281959

Duane S. Hewlett - Water Utilities/Production - \$50.

Subitem-B: (R-93-1678) ADOPTED AS RESOLUTION R-281960

William T. Walker - Fire/Operations - \$80.

Subitem-C: (R-93-1679) ADOPTED AS RESOLUTION R-281961

Federico A. Lucero, Jr. - Fire - \$280.

Subitem-D: (R-93-1680) ADOPTED AS RESOLUTION R-281962

Todd A. Dubler - Fire/B - \$500.

Subitem-E: (R-93-1681) ADOPTED AS RESOLUTION R-281963

Sandra L. Simmons - Engineering & Development/TDM -
\$1,049.16.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,

McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-126: (R-93-1769) ADOPTED AS RESOLUTION R-281964

Excusing Deputy Mayor Tom Behr from attending the Council meetings of April 13, 1993 (afternoon session) and April 19, 1993, due to out of town trips for City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-127: (R-93-1762) ADOPTED AS RESOLUTION R-281965

Appointing and designating the Management Team for purposes of meeting and conferring with recognized employee organizations:

Jack McGrory, City Manager
Bruce Herring, Deputy City Manager
Larry Gardner, Labor Relations Manager
Bill Lopez, Management Assistant
John M. Kaheny, Assistant City Attorney
Josiah Neeper, Attorney at Law

Appointing and designating the Personnel Director and Retirement Administrator as members of the Management Team, for all purposes except meeting and conferring with employee organizations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-128: (R-93-1579) ADOPTED AS RESOLUTION R-281966

Accepting the Annual Equal Opportunity Report from the Personnel Director, dated March 15, 1993, covering the period from December 6, 1991 to December 18, 1992.

COMMITTEE ACTION: Reviewed by PSS on 3/31/93. Recommendation to accept the Report. Districts 2,3,4, and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C594-D082.)

MOTION BY STEVENS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-129: (R-93-1685) ADOPTED AS RESOLUTION R-281967

Authorizing the City Manager to negotiate an agreement with Lehman Brothers and Artemis Capital Group, Inc. to act as underwriters of the City of San Diego's short-term tax anticipation notes in an amount not to exceed \$150,000,000; retaining the law office of Stradling, Yocca, Carlson & Rauth to perform legal duties and act as Bond Counsel; authorizing the expenditure of not to exceed \$18,000 from Fund No. 65013 to provide funds for the bond counsel services; authorizing the City Manager to negotiate an agreement with Bank of America National Trust and Savings Association to act as Paying Agent for the City.

CITY MANAGER SUPPORTING INFORMATION: Each year the City of San Diego issues short-term notes to fund temporary cash deficits experienced during the year in the City's General Fund. Last year the City issued \$102,000,000 worth of notes. In 1991-92, \$57,000,000 worth of notes were issued. At this time, it is estimated that we will be able to issue approximately \$100,000,000 worth of notes on July 1, and possibly additional notes in a Series B issue in early November. The determination of the actual issue size and whether a Series B is necessary will be made just prior to the July and November issue dates based upon current estimates of cash requirements. The City Treasurer received eight proposals to serve as underwriter in response to a Request for Proposal issued in February. Lehman Brothers and

Artemis Capital Group were selected as underwriter based upon pricing of services and experience in the tax anticipation note market.

Aud. Cert. 9301018.

FILE LOCATION: MEET CONT FY93-2

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-ineligible,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-not present, McCarty-yea, Vargas-yea, Mayor
Golding-not present.

* ITEM-130: (R-93-1804) ADOPTED AS RESOLUTION R-281968

Accepting \$55,000 on behalf of the City from the lawsuit settlements of the cases California Public Interest Research Group (CALPIRG) v. Kelco Divisions of Merck Co., Inc., and CALPIRG v. Chem-Tronics, Inc.; authorizing the City Auditor and Comptroller to deposit these funds in Sewer Revenue Fund 41506, Revenue Account No. 77546 (Industrial Waste Violation Fees).

CITY MANAGER SUPPORTING INFORMATION: On December 30, 1992, the California Public Interest Research Group (CALPIRG) and two companies, Kelco Division of Merck & Co., Inc., and Chem-Tronics, Inc., filed two consent decrees in Federal District Court in San Diego which resolve allegations of Clean Water Act violations. The City of San Diego was not a party to these litigation matters. As part of the settlement of these cases, the parties have proposed to provide the City of San Diego a total of \$55,000 (\$50,000 from Kelco and \$5,000 from Chem-Tronics) to be used by the Pretreatment Program of the Metropolitan Industrial Waste Program of the San Diego Water Utilities Department for its formal enforcement program.

WU-U-93-124.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,

McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-131: (R-93-1528) ADOPTED AS RESOLUTION R-281969

Submitting requests to the San Diego Air Pollution Control District for the purpose of funding the City's Employer TDM Program for Fiscal Year 1994.

COMMITTEE ACTION: Reviewed by TLU on 4/21/93. Recommendation to approve the City Manager's Report and forward to the City Council for adoption. Districts 1, 2, 5, 6 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Air Pollution Control District is soliciting proposals for vehicle related emission reduction projects. Selected proposals will be funded with approximately \$3.4 million of revenues generated annually from vehicle registration fees. The District indicates that transportation control measures (TCMs) including Employer Trip Reduction Programs such as the City's will be viewed as "first priority" for funding. Proposals must be received by the APCD by April 15, 1993. This action authorizes the City Manager to submit a proposal to the Air Pollution Control District for FY 1994. The request will be for the implementation of the Employer Trip Reduction Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-132: (R-93-1797) ADOPTED AS RESOLUTION R-281970

Authorizing the City Manager to apply for, accept, and administer grant funds from the California State Library to develop a Families for Literacy Program.

(Valencia Park Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public Library has been invited to apply for California Library Services Act grant funds to develop a model Families for Literacy Program. The program would be aimed towards adults who are currently

enrolled in the Library's READ/San Diego Literacy program and have preschool age children. The goal of the program is to encourage positive family interaction, utilization of community resources beginning with the library and to introduce the entire family to the value and enjoyment of literature. Grant funds would be used to purchase materials, sponsor programs, and extend outreach services.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-133: (R-93-1796) ADOPTED AS RESOLUTION R-281971

Authorizing the City Manager to apply for, accept, and administer grant funds from the California State Library to purchase library materials for children and youth.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public Library has been invited to apply for Library Services and Construction Act grant funds for the purchase of library materials for children and youth (infancy - age 17). The materials will be used to supplement the Library's existing collections and support the Library's service programs at 28 branch libraries.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-134: (R-93-1770) ADOPTED AS RESOLUTION R-281972

Modifying the Fiscal Year 1993 Capital Improvements Program by adding the following Projects:

1. Park Boulevard and Adams Avenue (CIP-52-568.0)
2. El Cajon Boulevard, Texas Street to 39th Street
(CIP-52-560.0)
3. 30th Street from A Street to Grape Street
(CIP-52-561.0)
4. University Avenue, Idaho Street to 30th Street
(CIP-52-569.0)
5. Adams Avenue, I-805 to 33rd Street
(CIP-52-559.0)

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$750,000 (TransNet) from Texas Street (Camino Del Rio South to Meade Avenue) (CIP-52-376) to El Cajon Boulevard (Texas Street to 39th Street) (CIP-52-560.0).
(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This item will transfer \$750,000 from the Texas Street - Camino Del Rio South to Meade Avenue to a new project entitled "El Cajon Boulevard - Texas Street to 39th Street (CIP-52-560.0). The scope of the Texas Street project will be changed to include two much needed bikeways and a needed drainage system. The project's remaining funds will be allocated to different projects. That which is currently available and appropriated will be utilized for the El Cajon Boulevard project and the Texas Street project. Via a memorandum which will be prepared in June, 1993, the funds budgeted in FY 94 will be recommended to be allocated to supplement the El Cajon Boulevard project and to four new projects: Adams Avenue, I-805 to 33rd Street (CIP-52-559.0); Park Boulevard and Adams Avenue (CIP-52-568.0); University Avenue, Idaho Avenue to 30th Street (CIP-52-569.0); El Cajon Boulevard from Texas Street to 39th Street (CIP-52-560.0) and 30th Street from A to Grape (CIP-52-561.0).

Aud. Cert. 9300798.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-135: (R-93-1789) TRAILED TO MAY 18, 1993, DUE TO
LACK OF FIVE AFFIRMATIVE VOTES

A Resolution approved by the City Council in Closed Session on Tuesday, April 20, 1993 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-yea; Stevens-yea; Behr-not present; Stallings-yea; McCarty-nay; Vargas-yea; Mayor-yea.

Authorizing the payment of \$31,429.50 in settlement of the property damage claim of Save Our Regional Park (Superior Court Case No. 657647, Save Our Regional Park, et. al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$31,429.50, made payable to Save Our Regional Park, Mountain Defense League and D. Wayne Brechtel, their attorney.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal property claim of Save Our Regional Park against the City of San Diego as a result of the incident of September 29, 1992.

Aud. Cert. 9301008.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C194-514.)

* ITEM-136: (R-93-1708) ADOPTED AS RESOLUTION R-281973

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, in the 800, 1000, 1100, and 1200 blocks of Prospect Street and 1000 block of Wall Street in the La Jolla Business Improvement District. (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The La Jolla Business Improvement District has requested that the existing one-hour time limit parking zones in downtown La Jolla be converted to two-hour time limit parking. The business owners feel strongly that this change will help improve the ability of their customers to conduct business in the village. The La Jolla Community Planning Association has indicated an interest in hearing this matter, but has not yet taken a formal position. The proposed modifications are consistent with Council Policy 200-4, "Installation or Removal of Time Limit Parking Zones and Parking Meter Zones."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-137: (R-93-1802) ADOPTED AS RESOLUTION R-281974

Modifying the Fiscal Year 1993 Capital Improvement Program by adding CIP-29-803.0, Mission Trails Regional Park Archeological Study; authorizing an agreement with Affinis, for professional services in connection with the Mission Trails Regional Park Archeological Study; authorizing the transfer of not to exceed \$50,000 from Mission Trails Fund 10580 to CIP-29-803.0, Mission Trails Regional Park Archeological Study; authorizing the expenditure of not to exceed \$34,999 from CIP-29-803.0, Mission Trails Regional Park Archaeological Study.
(Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed project is for an archaeological study of an Indian Village site northwest of Kumeyaay Lake within Mission Trails Regional Park. The project will cover 46 acres and identify the actual size of the site locations of midden material, areas of significance, etc. State law requires such a study before any plans may be made for use of the area. Also, vandalism of the site is occurring. The proposed project agreement with Affinis will provide professional services to study the site and determine its archaeological importance. From this study a preservation and/or mitigation program will be generated. It will include recommendations for a management plan of the site and an interpretive program for the site's inclusion in future educational programs within the park. The proposed project has received unanimous approval of both the Mission Trails Regional Park Citizens' Advisory Committee and Task Force. The proposed consultant was selected in accordance with Council Policy 300-7. The City advertised a "Request for Proposal" for professional services in the San Diego Daily Transcript. One firm responded, and was deemed qualified by the Project Consultant Nominating Committee. Affinis has been selected as the consultant for this project.

Aud. Cert. 9301009.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-138: (R-93-1530) ADOPTED AS RESOLUTION R-281975

Authorizing an agreement with Bayside Settlement House
for the design and construction of additional parking
spaces and recreational areas at their facility at 2302
Comstock Street; authorizing the expenditure of not to
exceed \$41,900 from CDBG Fund 18528, Dept. 4023, Org.
2302, Job Order 112124 for the above project.
(Linda Vista Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Bayside Settlement House
is a non-profit organization located at 2202 Comstock Street.
This agency provides a variety of critical services to the
minority community in Linda Vista. Expenditure of the \$41,900 in
C.D.B.G. funding for this project would provide for the design
and the partial construction of additional parking spaces;
passive and active recreational areas; and landscape and
irrigation system. On April 27, 1992, by a vote of 9-0, the City
Council adopted Resolution R-279840 granting the Community
Development Block Grant (C.D.B.G.) funding for this project.

Aud. Cert. 9300876.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-139: (R-93-1790) ADOPTED AS RESOLUTION R-281976

Authorizing the execution of a second amendment to the
agreement with Lee & Ro Consulting Engineers, for
professional services in connection with Point Loma
Digesters N1, N2, S1 and S2 Roof and Heating Systems;
authorizing the expenditure of not to exceed \$51,000

from CIP-46-129.0, Digesters N1 and N2 Roofs and Heating Systems.
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On September 11, 1989, the City Council authorized an agreement with Lee and Ro Consulting Engineers to provide professional services for the evaluation and design of improvements to Digesters N1 and N2 located at the Point Loma Wastewater Treatment Plant. The agreement was first amended on May 13, 1991, to provide additional funds to the consultant for an expanded scope of work. The proposed second amendment to the agreement will again provide additional funds to compensate the consultant for additional design work which has been requested by the maintenance and operations personnel to enhance digester operations. The expanded scope of work includes the construction of a digester mixing gun lay down area and the renovation of the north and south digester gas piping systems. Presently, there is no area where the 36-foot long digester gas mixing guns can be laid out to be washed down and worked on at the treatment plant. The existing digester gas piping systems are corroding and are beginning to leak. Repairs to the piping systems are frequent, and because these leakages involve digester gas, replacement of the piping becomes a safety issue. The construction budget for the entire project is estimated to be \$8,500,000.

Aud. Cert. 9301010.
WU-U-93-093.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-140: (R-93-1707) ADOPTED AS RESOLUTION R-281977

Authorizing a reimbursement agreement with the University of California San Diego (UCSD) for the construction of street improvements at Campus Point and Genesee Avenue; authorizing the expenditure of not to exceed \$197,948 from CIP-52-373.0, Genesee Avenue I-5 to Regents Road, Fund No. 79001 to reimburse UCSD.

(District-1.)

CITY MANAGER SUPPORTING INFORMATION: The University of California, San Diego (UCSD) desires to expedite the construction of a new entrance to their campus at Genesee Avenue and Campus Point. The City currently has a CIP project (CIP-52-373.0) which proposes to widen Genesee Avenue to a six-lane major street from I-5 to Regents Road. The UCSD project lies within the City project. If constructed separately, the two projects would provide different and incompatible configurations at the Campus Point intersection. If UCSD constructs the intersection improvements as required by standard street improvement conditions, then a substantial portion of the improvements would need to be removed and replaced by the City widening.

An agreement between the City and UCSD has been prepared by UCSD that permits UCSD to construct the final configuration of the intersection including provisions for six through lanes on Genesee Avenue at the Campus Point intersection. The agreement provides for the City to reimburse UCSD for the City portion of the street improvements. Benefits to the City and UCSD include the following: 1) Construction of the intersection to its final configuration in a timely manner resulting in reduced congestion and delays to motorists at the subject intersection; 2) Eliminate the need to reconstruct and relocate the median twice, resulting in a savings in cost and unnecessary modifications; 3) Reconstruction of the intersection with one contract in one phase resulting in a cleaner, more attractive project; and 4) Eliminate the need for a second design for an intermediate project.

Aud. Cert. 9300991.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-141:

Two actions related to the Carmel Valley Landscape
Maintenance District:
(Carmel Valley Community Area. District-1.)

Subitem-A: (R-93-1709) ADOPTED AS RESOLUTION R-281978

Resolution of Intention to levy and collect

assessments.

Subitem-B: (R-93-1710) ADOPTED AS RESOLUTION R-281979

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Carmel Valley Landscape Maintenance District. The district provides maintenance for approximately 472 acres of open space in addition to medians, streetscapes, and slopes within the district areas. The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 667,052
Personnel	103,478
Utilities	198,500
Incidentals	150,639*
Total Expenses	\$1,119,669
Reserve	180,805
Total	\$1,300,474
Less Carry-over & Interest	194,700
Less City Contribution	28,160
Assessed to District	\$1,077,614

* Includes Assessment District Management Fee of \$66,992.

The assessments per dwelling unit for the various (one through seven) zones within the district for FY '94 and the previous fiscal year are tabulated below:

Zone	1	2	3	4	5	6	7
FY'94:	14.52	307.22	297.96	36.33	76.31	114.50	34.00
per dwelling unit							
FY'93:	14.52	238.42	299.54	28.24	110.62	114.54	29.27
per dwelling unit							
% Increase:	-	28.8	-	28.6	-	-	16.2

Increases in zones 2, 4 and 7 are due to a total of 110,000 square foot additional landscaping to be maintained by the district in FY '94 in these zones.

FILE LOCATION: STRT M-294

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-142:

Two actions related to the Downtown Maintenance District:

(See City Manager Report CMR-93-135. Centre City Community Area. Districts-2,3, & 8.)

Subitem-A: (R-93-1730) ADOPTED AS RESOLUTION R-281980

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-93-1731) ADOPTED AS RESOLUTION R-281981

Approving the City Engineer's Report.

FILE LOCATION: STRT M-295

COUNCIL ACTION: (Tape location: C521-583.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-143:

Two actions related to the Mid-City Landscape and Lighting Maintenance District:
(Greater North Park and Mid-City Community Areas. Districts-2 and 3.)

Subitem-A: (R-93-1716) ADOPTED AS RESOLUTION R-281982

Resolution of Intention to annex territory to the district and to levy and collect assessments.

Subitem-B: (R-93-1717) ADOPTED AS RESOLUTION R-281983

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the 10 subdistricts in the Mid-City Landscape and Lighting Maintenance District. Subarea 4 is proposed to be enlarged through annexation. A new subarea (Subarea 10) is proposed to be added to the district through annexation. The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 75,875
Personnel	24,909
Utilities	9,603
Incidentals	32,670*
Total Expenses	\$143,057
Reserve	18,554
Total	\$161,611
Less Carry-over & Interest	38,050
Less City Contribution	2,513
Assessed to District	\$121,048

* Includes Assessment District Management Fee of \$7,368.

The assessments per frontage foot for each subdistrict is tabulated below:

	1	2	3	4	5	6	7
FY'94:	\$9.34	\$6.82	\$18.78	\$4.81	\$5.25	\$22.63	\$10.53
	8	9	10				
	\$6.78	\$2.32	\$4.59				
FY'93:	\$8.43	\$6.46	\$17.92	\$3.93	\$4.80	\$21.52	\$8.82
	\$2.36	\$0.95	-				
% Increase:	10.8	5.5	4.8	22.4	9.3	5.2	19.3
	18.6	14.4					

The changes in assessments are due to, in subdistrict: 1) low carry-over due to cost of replacing trees; 4) enlarged service area (annexation); 5) tree trimming, increase in water usage; 7, 8, 9) first full year of maintenance.

FILE LOCATION: STRT M-296

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-144:

Two actions related to the San Diego Street Light
Maintenance District No. 1:

Subitem-A: (R-93-1712) ADOPTED AS RESOLUTION R-281984

Resolution of Intention to annex Golden Hills (19th
Street to 33rd Street, "A" Street to "F" Street and
Fern Street from "A" Street to Juniper Street) to the
district and to levy and collect assessments.

Subitem-B: (R-93-1713) ADOPTED AS RESOLUTION R-281985

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing
establishes the annual assessments for the San Diego Street
Lighting Maintenance District No. 1. The district provides
street light energy and maintenance for areas with lighting
levels above standard City wide "safety" lighting. As part of
this action, it is proposed to annex Golden Hill (19th Street to
33rd Street, "A" Street to "F" Street, and Fern Street from "A"
Street to Juniper Street) to District No. 1. The City Council
allocated \$1.1 million Transnet (Prop. A) funds for
infrastructure improvements in the Golden Hill community. A
series of community meetings were held and street lighting is the
community priority. All property owners in the area were
notified about the establishment of a lighting maintenance
district. The installation of the lights will occur in Fiscal
Year 1994. The Fiscal Year 1994 proposed maintenance costs for
the district are as follows:

Electrical Energy	\$ 200,000
Maintenance - Operation	300,000
Maintenance - Major Repair & Paint	300,000
Centre City Maintenance Program	11,500
Engineering & Miscellaneous	135,750
Total Expenses	\$ 947,250
Total Fund Balance	501,468
Total Expenses & Fund Balance	\$1,448,718
Less Carry-over & Interest	761,577
Less City Contribution & Gas Tax	322,142
Assessed to District	\$ 365,000

The amount assessed to the district for Fiscal Year 1994 is
\$365,000 compared to \$324,000 for FY 93. The increase is due to
the annexation of more areas to the district.

FILE LOCATION: STRT M-298

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-145:

Three actions related to the Washington Street
Landscape Maintenance District:

(Mission Hills Community Area. District-2.)

Subitem-A: (R-93-1722) ADOPTED AS RESOLUTION R-281986

Initiating proceedings for the formation of the
Washington Street Landscape Maintenance District.

Subitem-B: (R-93-1723) ADOPTED AS RESOLUTION R-281987

Resolution of Intention to establish the Washington
Street Landscape Maintenance District.

Subitem-C: (R-93-1724) ADOPTED AS RESOLUTION R-281988

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: It is proposed to augment Washington Street by landscaping the existing center islands between a point approximately 380 feet west of the University Avenue overpass and Hawk Street. This landscaping addition is considered the long awaited first step in beautifying the entrance corridor into the Mission Hills community and will consist predominately of various types of blossoming trees, shrubs and ground cover to create a more pleasing and attractive entry. These improvements will be financed by the City. However, to assure the continuing maintenance of this proposed landscaping, this enhancement project will depend on the establishment of a landscape maintenance district. Those property owners within this district pay for the annual maintenance on the basis of benefit. A property that benefits is one that exists adjacent to and/or in the proximity of the improvements to be maintained. This also includes those parcels that conveniently use Washington Street to be reached or conveniently egress the area or use Washington Street for

shopping. The present action is for the establishment of the district only. After construction, the landscaping improvements will be maintained by the contractor for approximately one year. Consequently, no assessments will be levied at this time. The maintenance cost for the proposed landscaping improvements for a twelve month period is estimated at approximately \$32,000. Early estimates indicate the assessment to be approximately \$10 per living unit. A closer estimate will be submitted to the Council in a subsequent report prior to the public hearing, after more information on the number of properties in the proposed district becomes available. The estimated \$32,000 assessment to maintain these improvements will not be assessed to the district until Fiscal Year 1995.

FILE LOCATION: STRT M-300

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-146: (R-93-1772) ADOPTED AS RESOLUTION R-281989

Ordering action to be brought in the Superior Court of San Diego County to foreclose the assessment liens against delinquent parcels of land in De La Fuente Business Park -Phase I Assessment District No. 4011, De La Fuente Business Park - Phase II Assessment District No. 4021, Otay International Center - Phase I Assessment District No. 4010, Otay International Center Phase II Assessment District No. 4019 and Otay Mesa Road (Right of Way Acquisition) Assessment District No. 3987.

(See City Manager Report CMR-93-138. Otay Mesa Community Area. District-8.)

FILE LOCATION: STRT D-2236, D-2264, D-2265, D-2276,
D-2283

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200: There isn't an Item 200 on today's docket.

ITEM-201: (R-93-1808) ADOPTED AS RESOLUTION R-281990

Requesting that the San Diego Unified Port District continue to provide funding to the City in the amount of \$4,517,126 during Fiscal Year 1994 to subsidize the operating expenses of the San Diego Convention Center, and to provide funding directly to the Convention and Visitors Bureau, the San Diego Sportfishing Council, and the San Diego Maritime Museum to cover their operating expenses which benefit the Port.

CITY MANAGER SUPPORTING INFORMATION: During Fiscal Year 1993, the Port in an effort to help the City weather a financial crisis brought on by a lingering recession and the unanticipated loss of \$12 million in property tax revenues to the State, provided the City and several organizations a total of \$5.7 million in funding to help cover the operating expenses of four organizations which benefit the Port. There are two requests for reimbursement from the Port for the following:

- | | |
|--|-------------|
| (1) San Diego Convention Center | \$4,517,126 |
| This funding will directly reimburse the City for the operating subsidy provided to the San Diego Convention Center. | |
| (2) a) San Diego Convention & Visitors Bureau | |
| | \$1,060,000 |
| b) San Diego Sportfishing Council | \$82,400 |
| c) San Diego Maritime Museum | \$26,400 |

The Port is requested to assume funding for the three organizations listed above.

While each of the three organizations are worthy of continued funding from the Port, particular emphasis should be placed on urging the Port to continue funding for the San Diego Convention & Visitors Bureau. A reduction of this magnitude would severely curtail their ability to continue to attract tourists to San Diego, including the Port District.

Since local revenues continue flat and the State will again take \$12 million in property taxes (which could increase by an additional \$27 million) it is requested that the Council adopt a resolution authorizing the City Manager to request that the Port continue this funding at the same level in Fiscal Year 1994. The

Port directly benefits from the services provided by these organizations. Without this funding, additional cuts in these or other programs will be required.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D083-109.)

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202: (R-93-1807) TRAILED TO MAY 18, 1993

Approving the City Manager's recommendation of the underwriting team of Morgan Stanley & Co., Kemper Securities, Inc., Rauscher Pierce Refsnes, Inc., Charles A. Bell Securities Corp., Renge Securities & Co., and Muriel Siebert & Co., for underwriting services in connection with \$250-300 million dollar financing for the Consumers' Alternative Wastewater Treatment Facilities;

Requesting the underwriting team to return with a recommended plan of finance within 45 days.
(See City Manager Report CMR-93-137.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: C084-188.)

ITEM-203: (R-93-1701) CONTINUED TO JUNE 15, 1993

Continued from the meeting of May 3, 1993, Item 150, at Councilmember Roberts' request, to allow Councilmember Stallings to be present.)

Adopting the recommendation of the Public Facilities and Recreation Committee regarding the adoption of amendments to the weighted vote for the San Diego Area Wastewater Management District, as provided in City Attorney's Reports RC-93-22 and RC-93-17.

(See City Manager Report CMR-93-99 and City Attorney Reports dated 4/16/93 and 4/7/93.)

COMMITTEE ACTION: Reviewed by PFR on 4/14/93. Recommendation to approve the City Manager's recommendation to revise the District's weighted vote methodology with the additional stipulation that a motion calling for a weighted vote will not require a second to the motion. Districts 3, 6 and 8 voted yea. District 7 voted nay. District 5 not present.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Area Wastewater Management District (District) Board of Directors has endorsed a new methodology for the District's weighted vote process. (City of San Diego Board Members abstained from this vote.) The existing methodology, pursuant to Section 316(a) of Senate Bill 1225 states, "...when the weighted vote is taken there shall be a total of 100 possible votes. Fifty of those votes shall be allocated to the City of San Diego, irrespective of its average daily flow. The allocation of the remaining fifty votes to the remaining member agencies shall be determined pursuant to subdivision (b)." The District's proposed methodology is as follows: Under this proposal, the call for a weighted vote would nullify the prior roll call vote. This procedure, calling for the weighted vote, is unchanged from existing procedure. Then, in order for a weighted vote to pass, two conditions must be met. The vote must be carried by both a majority of the flow (San Diego) and a majority of the regular votes (San Diego and at least five other votes based upon current membership). With this new system of weighted votes, San Diego would always be able to veto a measure because of controls of the majority of the flow. However, non-veto action on the part of the City of San Diego would require some consensus building. Additionally, a weighted vote would no longer be permitted in cases concerning the hiring, firing, or terms of employment for both the District General Manager and District General Counsel. A vote in support of this change will not immediately change District procedures. Final approval for these changes must be granted by the California State Legislature through amendment of Senate Bill 1225.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B686-C083.)

MOTION BY ROBERTS TO CONTINUE THE ITEM TO JUNE 15, 1993, AS REQUESTED BY THE CITY MANAGER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-204: (R-93-1699) ADOPTED AS RESOLUTION R-281991

(Continued from the meeting of May 3, 1993, Item 136,
at Councilmember Roberts' request, for further review.)

Waiving the requirement that ATC Realty Systems, Inc.
(successor to Harry Summers) construct buildings on two
lots at Summers Governor Park pursuant to the exchange
agreement dated 5/7/79.
(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: ATC Realty Systems Inc.
(ATC), a subsidiary of Wells Fargo Bank, owns two lots in Summers
Governor Park which is located near I-805 and Governor Dr. ATC
acquired the land through foreclosure from Harry Summers and
became successor to a land exchange agreement between the City
and Summers dated May 7, 1979. The agreement required Summers to
do the following by May 1989: 1) File a Subdivision Map creating
19 lots; 2) Create a minimum of 30 jobs per gross acre (i.e.
employ 1,680 people); 3) Develop buildings on each lot. The
first two requirements have been accomplished thus far, but only
17 of the 19 lots have been improved with buildings. City
Council did approve the extension of the agreement to allow ATC
to comply with the development requirement for which the City
received \$20,000 (\$15,000 in consideration and \$5,000 to cover
staff costs for formulating the agreement).

The exchange agreement also gave the City the right to purchase
within ten years, any lots that were not developed with buildings
based on a formula. Under the formula, the repurchase price of
the undeveloped lots would approximate \$16,000,000, an amount
well in excess of fair market value of the land. ATC is
proposing to pay the City an additional \$15,000 to remove the
development requirement for the two remaining lots and to waive
its option to purchase. ATC believes that these lots can be
marketed more easily if the development requirement and the
City's right to repurchase the undeveloped lots were removed.
Since the intent of the exchange agreement has been carried out,
and City's price to repurchase the lots exceeds the fair market
value of the land, it is recommended that ATC's offer be
accepted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C194-514.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-205: (O-93-127) TRAILED TO MAY 18, 1993

(Continued from the meetings of April 19, 1993, Item 51, and May 3, 1993, Item 200; last continued at Councilmember Roberts' request, on behalf of the City Manager.)

Introduction of an Ordinance amending Chapter VI, Article 5, Division 2 of the San Diego Municipal Code by repealing Section 65.0216, relating to the San Diego Maintenance District Procedural Ordinance of 1986.

CITY MANAGER SUPPORTING INFORMATION: This amendment repeals Section 65.0216 of the San Diego Municipal Code relating to the San Diego Maintenance District Procedural Ordinance of 1986. Division 2 of the Municipal Code incorporates the Landscape and Lighting Act of 1972, as set forth beginning in Section 22500 of the Streets and Highways Code of the State of California. The Streets and Highways Code was amended effective January 1, 1993, per Chapter 963 of SB 773 repealing Section 22552.1 relating to publication of two weeks, and Section 22555 relating to posting of notice form and procedure, and adding new Sections 22525.5 and 22556 relating to a 45-day publication time limit notice, types of improvements and property owner protest requirements.

Section 65.0216 of the Municipal Code covers the various categories which state when the City Clerk needs to notice owners of lots or parcels within a landscape or lighting maintenance district. Council action is requested to repeal this Section because the above revisions in the Landscape and Lighting Act of the Streets and Highways Code as incorporated in the Municipal Code make Section 65.0216 redundant and unnecessary.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B686-C083.)

MOTION BY ROBERTS TO TRAIL THE ITEM TO MAY 18, 1993, AS REQUESTED BY THE CITY MANAGER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-S400: (R-93-1661) ADOPTED AS RESOLUTION R-281992

Adopting the Seven Year Transnet Local Street and Road Program of Projects for Fiscal Years 1994 through 2001 and amending the Fiscal Year 1993 Transnet Local Street

and Road Program of Projects.
(See City Manager Report CMR-93-113.)

COMMITTEE ACTION: Reviewed by TLU on 5/5/93. Recommendation to approve the City Manager's Report with further study to be conducted on projects 52-302 and 52-303. Allow COMPACT Committee to provide comment prior to Council action. Districts 1, 2 and 7 voted yea. Districts 5 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D113-290.)

MOTION BY WOLFSHEIMER TO ADOPT WITH THE CONDITION THAT STAFF LOOK INTO THE STUDY ON PROJECTS 52302 AND 52303 AND THEN DETERMINE WHETHER THE MONEY SHOULD BE TRANSNET FUNDED OR FBA FUNDED. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-S401: (R-93-1886) TRAILED TO MAY 18, 1993

Confirming the appointment by the Mayor of Karen McElliott, to serve as a member of the Planning Commission, for a term ending January 28, 1994, replacing Karl Zobell, who has resigned.

(See memo from Mayor Golding dated 5/11/93 with resume attached.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: C084-188.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Behr at 4:33 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D291-301).